

EXHIBIT A–CEQA FINDINGS AND OVERRIDING CONSIDERATIONS

I. PROJECT DESCRIPTION

The Proposed Project includes expansion of the existing Santa Margarita Quarry (quarry) by approximately 33 acres, which would yield an estimated 21.5 million tons of aggregate reserves. These reserves, in combination with existing entitled reserves, would result in the quarry producing 33.2 million tons of aggregate products over a 59-year period. Proposed expansion of the quarry would require issuance of a Notice to Proceed (NTP) from the County of San Luis Obispo (County) Department of Planning and Building. Implementation of the Project would also require reclamation of the entire quarry site, as expanded, and a Reclamation Plan Amendment (RPA) has also been submitted to the County Department of Planning and Building for review and approval.

The Project site is located at 16815 El Camino Real, approximately three miles northeast of the community of Santa Margarita. Under the Proposed Project, the existing quarry's Excavation Area would be expanded and mined according to four overlapping phases. Each phase would include: vegetation removal; topsoil salvaging and overburden stripping; blasting; shot rock extraction and transport; and, material processing. Concurrent reclamation would occur with mining where practicable on those benches that have achieved their final contours. Final reclamation of the proposed RPA area would be completed after mining Phase IV. It is anticipated that all four mining phases and final reclamation would all be completed in approximately 64 years (59 years of mining plus five years of final reclamation). No increase in annual production volumes or intensity is proposed beyond the quarry's currently permitted levels. The Proposed Project and alternatives are described in more detail in the Santa Margarita Quarry Expansion Project Final and Draft EIR, and Appendices thereto.

The County of San Luis Obispo Staff recommended the Proposed Project (for which these CEQA Findings are prepared). As discussed in Section 6 (Comparison of Alternatives) of the Draft EIR, Alternative 2 was determined to be the environmentally superior alternative. However, Alternative 2 would only partially meet the objectives of the Proposed Project. Therefore, Staff recommends approval of the Proposed Project, as described in Section 2 of the Draft EIR.

The Proposed Project is described in more detail in the Staff Report accompanying these findings.

II. THE RECORD

For the purposes of CEQA and the Findings IV-VI, the record of the Planning Commission relating to the application includes:

1. Documentary and oral evidence received and reviewed by the Planning Commission during the public hearings on the project.
2. The Santa Margarita Quarry Expansion Project Final EIR (March 2015).
3. The Santa Margarita Quarry Expansion Conditional Use Permit application and supporting materials.
4. The Santa Margarita Quarry Expansion Reclamation Plan Amendment and supporting materials.

Attachment 1

5. The Santa Margarita Quarry Expansion Project Staff Report prepared for the Planning Commission.
6. Study Session
7. Matters of common knowledge to the Commission which it considers, such as:
 - a. The County General Plan, including the land use maps and elements thereof;
 - b. The text of the Land Use Element;
 - c. The California Environmental Quality Act (CEQA) and the CEQA Guidelines.
 - d. The County of San Luis Obispo Environmental Quality Act Guidelines;
 - e. The County Annual Resources Summary Report;
 - f. The Clean Air Plan;
 - g. The SLO County Public Facilities Financing Plan;
 - h. The Countywide Settlement Pattern Strategy Phase 1 and 2 Reports;
 - i. The Countywide Smart Growth Ordinance;
 - j. The Countywide Growth Management Ordinance;
 - k. Other formally adopted County, State and Federal regulations, statutes, policies, and ordinances;
 - l. Additional documents referenced in the Final EIR for the Santa Margarita Quarry Expansion Project.

III. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Planning Commission certifies the following with respect to the Santa Margarita Quarry Expansion Project Final EIR:

- A. The Planning Commission has reviewed and considered the Santa Margarita Quarry Expansion Project Final EIR.
- B. The Final Environmental Impact Report for the Santa Margarita Quarry Expansion Project has been completed in compliance with the California Environmental Quality Act.
- C. The Final Environmental Impact Report, and all related public comments and responses have been presented to the Planning Commission, and they have reviewed and considered the information contained in the Final Environmental Impact Report and testimony presented at the public hearings prior to approving the Santa Margarita Quarry Expansion Project .
- D. The Santa Margarita Quarry Expansion Final EIR reflects the independent judgment of the Planning Commission, acting as the lead agency for the project.

IV. FINDINGS FOR IMPACTS IDENTIFIED AS INSIGNIFICANT (Class III)

The findings below are for Class III impacts. Class III impacts are impacts that are adverse, but not significant.

A. Aesthetics (Class III)

1. **Impact AE-1: Cause significant visibility of mining activities, equipment, and night lighting.** No increase in lighting is proposed and nighttime operations are infrequent. As

a condition of project permitting, a lighting plan is required. Glare could be created by sunlight or lighting reflecting from surfaces such as windshields or windows. However, areas where this potential exists are not visible off site. Therefore, nighttime lighting and glare impacts are considered less than significant (Class III).

2. **Impact AE-2: Introduce significant visual contrast and view blockage.** The Proposed Project would increase the amount of vertical exposed rock surface within the site, but this is not visible off site. At the conclusion of mining, the visible vertical rock surface that has resulted from current and past operations and is visible from State Route 58 would be reduced in size. This is a beneficial effect as compared to existing conditions. An area of the northeast mine wall created by future mining would become visible with removal of the wall closer to the highway, but this would be a smaller surface than what would be removed and would be more distant from the viewer. Rather than introduce view blockage, the proposed mining would be subtractive, increasing somewhat the amount of distant vista (sky and far ridges) visible. Although the existing mine wall visible from off site stands in sharp contrast to its surroundings, it is an existing condition. Expansion of the mining operation would not introduce additional visible visual contrast off site; it would reduce the total area of contrast when a portion of the existing wall is removed. Therefore, the project would have a less-than-significant impact with regard to introducing visual contrast and view blockage (Class III).
3. **Impact AE-3: Substantially damage scenic resources or adversely affect a scenic vista.** The Proposed Project would be slightly visible on a distant ridge as seen from a short segment of El Camino Real. Along State Route 58, eastbound motorists would have a view of the quarry's exposed rock walls for an estimated 3,000 feet of travel. The existing extent of exposed rock wall visible would be reduced in the future by continual mining, which would remove a portion of the existing wall. Consequently, by not introducing substantial new elements into the visual environment seen from public vantage points, the Proposed Project would have a less-than-significant effect on scenic resources (Class III). In the future, State Route 58 may be designated a scenic corridor. However, at the time of any such designation, the landscape would include the existing or reduced rock wall visible from the highway. Therefore, the project would not adversely affect a scenic vista.

B. Agricultural Resources (Class III)

1. **Impact AG-1: Permanently convert farmland to a non-agricultural use.** The proposed quarry expansion area is not zoned for agricultural use nor is it mapped as farmland by the Department of Conservation's Farmland Mapping and Monitoring Program. As shown in Table 4.3-3 (Storie Index) and Table 4.3-4 (NRCS Farmland Classification) in Section 4.3 of the Draft EIR, only 0.04 acre of the proposed expansion area is classified as having good agricultural soil, which may be the result of a mapping error. The Proposed RPA would involve soil stabilization and revegetation of mined areas; these activities would not convert any farmland to non-agricultural use. Therefore, because the Proposed Project would directly affect a maximum of 0.04 acre of farmland, impacts would be less than significant (Class III).

C. Air Quality (Class III):

1. **Impact AQ-3: Create objectionable odors affecting a substantial number of people.** The Proposed Project would continue existing quarry operations that involve combustion of diesel fuel and emissions of dust. Odors present in the diesel exhaust of processing equipment, trucks, and other equipment would be reduced by the use of ultra-low-sulfur fuel as required by law.

The existing quarry contains two Hot Mix Asphalt (HMA) plants, which were noted as creating objectionable odors during the Project's public scoping meeting. However, the HMA plants are not considered to be part of the Proposed Project, which is specific to the proposed quarry expansion area and implementation of the Proposed RPA. Additionally, no changes to the HMA plants existing operation are proposed, and the existing operation is considered to be part of "baseline" conditions. Because no new notable odor sources would be associated with the Proposed Project and RPA, this impact would be less than significant (Class III).

D. Greenhouse Gas Emissions (Class III)

- 1. Impact GHG-1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.** Based on the existing and Proposed Project GHG inventories, as shown in Table 4.5-3 and Table 4.5-4 in Section 4.5 of the Draft EIR, respectively, the levels of GHG emissions would be less than 3,500 metric tonnes of CO₂ equivalent (MTCO₂e) per year in either case and, therefore, would not exceed the Air Pollution Control District's (APCD) GHG threshold of significance for new stationary sources of 10,000 MTCO₂e per year. By continuing the GHG emissions at these levels, the excavation activities associated with the Proposed Project would not generate GHG emissions at a significant level. The impact on the environment from these emissions would be less than significant (Class III).

E. Biological Resources (Class III): No Class III impacts for Biological Resources were identified.

F. Cultural Resources (Class III): No Class III impacts for Cultural Resources were identified.

G. Geology, Mineral Resources and Soils (Class III)

- 1. Impact GEO-1: Expose people, buildings, or infrastructure to potential substantial adverse effects, including the risk of loss, injury, or death involving surface fault rupture, strong seismic shaking, or seismically induced ground shaking.** The Proposed Project is not located within a California Geological Survey (CGS) Earthquake Fault Zone or Seismic Hazard Zone, and therefore is not susceptible to surface fault rupture or direct impacts related to seismic shaking. The maximum intensity of ground shaking estimated at the Proposed Project is a III on the Modified Mercalli Intensity (MMI) scale, which is relatively low and would not likely cause structural damage. Based on the existing geologic conditions and the existing and proposed post-reclamation land uses, seismic hazards related to the excavation and reclamation phases of the Proposed Project would be less than significant (Class III).

H. Hazards and Hazardous Materials (Class III)

- 1. Impact HZ-1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or as a result of an accidental release of hazardous materials.** In accordance with the existing Hazardous Materials Business Plan (HMBP), Spill Prevention, Countermeasure, and Control (SPCC) Plan, and Stormwater Pollution and Prevention Plan (SWPPP), hazardous materials would not be stored in the Proposed Project excavation area. Operation and maintenance activities at the Proposed Project excavation expansion area would involve periodic and routine use of hazardous materials. The hazardous materials would primarily be petroleum products, such as fuels and lubricating oils to operate heavy equipment and motor vehicles. The existing HMBP and SWPPP specify safe practices for handling and use of hazardous materials in the excavation area. Implementation of

these measures contained in these existing plans would minimize the risks of chemical releases and, therefore, would pose a less-than-significant impact. Explosives would also be transported to the quarry for each day of blasting in the excavation area by a licensed and permitted explosives delivery contractor. The quarry's existing Blasting Safety Procedures specify safe practices for managing and detonating explosive materials in the excavation area. Implementation of the Blast Safety Procedures would minimize the risk of explosive hazards and, therefore, impacts would be less than significant.

Active reclamation activities would involve equipment such as front-loaders and off-road haul trucks, but several of the major pieces of equipment that are part of the excavation phase of the Proposed Project would not be used. During the final reclamation phase, the main processing plant and asphalt plant would no longer be in operation and the jaw crusher would no longer be in use. Therefore, the intensity of equipment use during the reclamation phase would be expected to be less than during the excavation phase (reducing the likelihood of chemical releases). There would be no storage or use of hazardous materials on-site after reclamation grading and revegetation activities are completed. Therefore, potential impacts related to hazardous materials releases during the reclamation phase would be less than significant (Class III).

I. Land Use (Class III)

- 1. Impact LU-1: Temporarily disrupt, displace or divide land uses.** The Applicant proposes to expand the boundaries of the existing quarry by an estimated 33 acres, thereby enlarging its "footprint" from 160.1 acres to 193.1 acres. There are scattered rural residences and open space within one-half mile of the quarry's access road. At the northern boundary of the Proposed Project site there were five non-permitted residential structures. One non-residential structure will remain and be permitted by the County; however, the rest of the structures and the ancillary uses have been removed. The land owner is aware of the potential impacts associated with the excavation activities and elected to proceed with the land use permit for this structure. As such, the Proposed Project and the potential effects are to be considered as part of the environmental baseline of the Proposed Project property, and any temporary or permanent disruptions associated with excavation would result in less than significant impacts. Other than this property, the expansion of the existing quarry operations would not temporarily or permanently disrupt, displace, or divide any other existing land uses within or surrounding the Proposed Project site. Impacts would therefore be less than significant.

Proposed reclamation activities would be initiated in those areas of the quarry that have been depleted of resources in a manner concurrent to on-going mining operations. Lands within the quarry would be reclaimed to open space uses, including seasonal water storage, riparian habitat, oak woodland habitat and chaparral vegetation. The activities associated with the Proposed RPA would occur within the Proposed Project site, and off-site traffic would not be appreciably different from existing conditions. The impacts associated with these improvements would be temporary and would result in minimal disruptions to surrounding land uses. Therefore, land use impacts associated with reclamation activities would be less than significant (Class III).

J. Noise (Class III)

- 1. Impact NS-2: Expose persons to excessive vibration generated by heavy equipment or by blasting operations.** Vibration would be generated within the Proposed RPA area during both the excavation and reclamation phases of the Proposed Project related to the use of heavy equipment for activities such as grading and

overburden stripping. Vibration would also be generated during blasting operations carried out during the excavation phase of the Proposed Project. Heavy equipment during the excavation phase of the Proposed Project would be less than significant because the nearest receptor is more than 500 feet from the area where heavy equipment would be operated. Blasting is an intermittent activity, occurring on average about twice per month, and the duration of each blast is less than one second. It is unlikely that this intermittent and short duration activity would be perceived as an annoyance. Therefore, the potential impact related to blasting-generated vibrations on people and structures in the vicinity of the Proposed RPA area is less than significant.

2. **Impact NS-3: Expose people to excessive aircraft noise levels.** People working in the Proposed RPA area would not be exposed to excessive aircraft noise because it is not located in close proximity to a public or private airport. The nearest private airport is located at Hart Ranch, approximately 2.5 miles southeast of the Proposed RPA area, and the nearest public airport is San Luis Obispo County Regional Airport, located approximately 12 miles southwest of the Proposed RPA area. Upon completion of the final reclamation of the Proposed Project, the Proposed RPA area would be restored to open space land use. Because the Proposed RPA area is not located in close proximity to any existing public or private airports, any potential users of the open space would not be exposed to excessive aircraft noise in the foreseeable future. Impacts would be less than significant (Class III).

K. Public Services and Utilities (Class III)

1. **Impact PS-4: Change the ability of a water treatment, wastewater treatment or solid waste facilities to adequately supply water and accommodate solid waste and wastewater.** On-going reclamation of the existing quarry and proposed expansion area would not increase or intensify any Project operations and thus would not affect existing baseline conditions or demand for water treatment, wastewater treatment or solid waste facilities. Final reclamation and quarry closure would involve the recycling of an estimated 1,545 cubic yards (cy) of steel and 1,600 cy of concrete. Approximately 600 cy of non-recyclable material would be disposed of at a local landfill. The Cold Canyon Landfill is currently near its permitted capacity and thus would not likely be able to accommodate the Proposed Project's long-range solid waste disposal needs. However, the Chicago Grade Landfill and Paso Robles Landfill currently have over 80 percent remaining capacity and the Proposed Project's contribution to one of these solid facilities during final reclamation would be less than 1 percent of their total capacity (0.007 percent and 0.009 percent, respectively, for the Chicago Grade Landfill and Paso Robles Landfill). Consequently, it is anticipated that the Proposed Project's future solid waste disposal needs could be accommodated at one of these permitted facilities. Impacts to solid waste facilities would therefore be less than significant (Class III) or none.

L. Recreation (Class III): No Class III impacts to Recreation were identified.

M. Transportation (Class III)

1. **Impact TR 1: Cause roadway operations to degrade from an acceptable LOS to an unacceptable LOS.** During "worst-case" peak traffic periods, operation of the Proposed Project would not diminish El Camino Real or Santa Barbara Road to unacceptable level of service (LOS) performance standard thresholds, as defined by the County (LOS C or better). The freeway segment LOS analysis for U.S. Highway 101 and State Route 58 indicates that the Proposed Project's peak operations daily traffic volumes would also be within acceptable LOS performance standard thresholds, as defined by Caltrans.

Therefore, the Proposed Project would result in less-than-significant impacts with respect to the performance of the roadway study area (Class III).

Proposed reclamation activities would occur parallel to continued quarry operations for the lifetime of the Proposed Project, followed by final reclamation once the quarry has been closed. Reclamation activities would generate daily truck and passenger vehicle trips on study area roadways during dismantling and haul-off of existing quarry equipment and structures. However, the volume of these daily trips is not expected to exceed the number of daily aggregate haul trips and worker commute trips during quarry operation. Because these operational trips would cease at the time of reclamation, the short-term trips associated with reclamation are not expected to exceed or degrade the LOS of any study area roadway. Impacts would be less than significant (Class III).

N. Water Resources (Class III)

- 1. Impact HYD-2: Deplete groundwater supplies or affect groundwater levels.** The maximum water use under the Proposed Project would occur during a year of maximum permitted aggregate production (i.e., 700,000 tons in one year). The Applicant estimates that an additional 33 acre-feet per year (afy) would be required to process the aggregate during a maximum production year over an average year. Since 90 percent of the water is returned to the settling ponds, and most of that is returned to the underflow of the Salinas River, the Proposed Project would be expected to use (and consume) an additional three acre-feet of water during a maximum production year in comparison to the baseline average use. The annual flow in the Salinas River ranges from a low of 808 afy to over 80,000 afy, with a median value of 8,660 afy. The lowest recorded annual flow in the Salinas River is well above the Project's water needs. Therefore, potential impacts related to increased water use during excavation would be less than significant.

During final reclamation, the processing plant would no longer be in operation, and therefore the main water use activity associated with the quarry, including its proposed expansion, would be eliminated. Water would continue to be used for dust suppression while final grading and resoiling activities are under way. This amount of water use would be expected to be similar to the amount of water needed during excavation phase dust suppression. Since water use during final reclamation would decrease relative to existing conditions, water use impacts during this phase would be less than significant (Class III).

- 2. Impact HYD-3: Alter drainage patterns or result in increased erosion and flooding.** Drainage and runoff from the Proposed Project would be directed to the impoundment area and therefore would be prevented from flowing directly into the Salinas River. The creation of a larger internally drained area would reduce the potential for erosion and sediment generated at the Proposed Project site to reach the Salinas River. Sediment contribution to the Salinas River would be reduced because under existing undeveloped conditions, some sediment is entrained in runoff and is discharged to the river. In addition, landslides that might occur with the boundaries of the undeveloped Project site could generate soil and debris that could eventually reach the Salinas River. Under the Proposed Project, all sediment discharges (including any landslide debris) would be directed inward toward the excavation pit and would not be able to reach the Salinas River. Similarly, flooding along the Salinas River would be incrementally reduced because the Proposed Project would result in a slight reduction of the area that drains to the river. Therefore potential impacts to receiving water quality and flooding related to the changing drainage patterns during the mining/excavation phase would be less than significant.

Reclamation would represent a stabilization of the ground surface by restoring vegetation, thus reducing erosion potential relative to existing conditions. Directing surface drainage away from direct discharges into the Salinas River (as proposed by the Proposed RPA) would result in an incremental decrease in the Proposed Project's contribution to flooding along the river, particularly during small to moderate storm events. During extreme storms, much of the Lower Area would become hydraulically connected to the Salinas River and become part of the active floodplain, and as such, redirection of surface drainage away from the river would no longer be effective. However, as long as there is no net increase in fill placement in the floodplain, or fill that impedes flood flows as part of reclamation grading is prevented, impacts related to proposed changes in topography in the Lower Area would be less than significant (Class III).

- 3. Impact HYD-4: Place fill or structures in the floodplain, potentially affecting flooding levels at or away from the site.** The Proposed Project's excavation area is not located within a FEMA flood hazard area; therefore neither excavation nor the placement of fill or structures in this area would affect flood hazards at or away from the Proposed Project site. Impacts would be less than significant.

The southern and central portions of the Lower Area are located within the mapped FEMA flood hazard area, so reclamation activities in the Lower Area under the Proposed Project could affect flooding at and way from the site. Low areas in the topography would be filled and hummocks and sand mounds would be flattened, providing stable drainage. In general, the Lower Area would be graded to direct runoff away from the Salinas River toward several low-lying areas. However, grading activities within the FEMA flood hazard area would be subject to the requirements of the County's Land Use Ordinance (Title 22), Flood Hazard Area code (Section 22.14.060), which states that all uses proposed within a flood hazard area (except temporary uses, emergency work, and existing uses) must prepare a Drainage Plan for the County's review and approval. Compliance with this existing requirement would ensure that reclamation grading does not result in adverse impacts to flooding conditions along the Salinas River. Therefore this impact would be less than significant (Class III).

- 4. Impact HYD-5: Expose people or structures to flooding related to dam failure or seiche.** Based on inundation mapping for failure of the Salinas Dam, flood water levels would not be high enough to flood the existing excavation pit or the proposed expansion area. Since this is a very low probability event and inundation depths would not be expected to affect the proposed expansion area, impacts related to dam failure during excavation would be less than significant.

Much of the Lower Area (the existing processing area and future reclamation area) is low-lying and within 500 feet of the active channel of the Salinas River and could be affected by flooding related to failure of the Salinas Dam. However, the post-excavation reclaimed land use would be open space and wildlife habitat. This proposed land use does not include structures that could be used for human habitation or other human uses. Since this is a very low probability event, and the reclaimed land use would not directly or indirectly expose people or structures to flooding risk, flooding impacts from reclamation would be less than significant (Class III).

V. FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT BUT MITIGABLE (Class II)

Class II impacts are those which are significant, but they can be mitigated to insignificance by implementation of certain mitigation measures.

A. Aesthetics and Visual Resources (Class II): No Class II impacts to Aesthetics and Visual Resources were identified.

B. Agricultural Resources (Class II)

1. **Impact AG-3: Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of the farmland or grazing land to non-agricultural use or impair agricultural use of other property.** Activities in the expansion area, including topsoil removal, blasting, and material transport could potentially affect surrounding grazing operations and hay production through fugitive dust, sedimentation, or accidental spills of hazardous materials. The implementation of the measures below would ensure that impacts on surrounding agriculture would be less than significant (Class II).

a. Mitigation –

MM AQ-1 – Implement a Dust Control Plan. The Applicant shall comply with the following on-site requirements to minimize PM10 fugitive dust emissions: reduce the amount of disturbed area where possible; use water trucks or sprinkler systems to prevent airborne dust from leaving the site; increased watering frequencies shall be required whenever wind speeds exceed 15 mph; spray all soil or product stockpile areas daily as needed; ensure that the Project access road is complete and paved at all times; include the locations for stockpiles and material storage areas on all applicable mining and reclamation plans; designate a person to monitor the fugitive dust emissions; reclamation and revegetation of all disturbed areas shall occur as soon as practicable in a phased manner consistent with the Project's RPA; all disturbed soil areas not subject to revegetation shall be stabilized; vehicle speed for all quarry vehicles and trucks on unpaved portions of the Project site shall not exceed 15 mph; all trucks hauling dirt, sand, soil, or other loose materials are to be covered and fitted with appropriate seals and splash guards; and streets shall be swept at the end of each day if visible soil material is carried onto the Project access road.

MM BIO-1.2 – Prepare and implement a Weed Control Plan during all Project phases. Prior to County issuance of a Notice to Proceed, the Applicant shall retain a County qualified restoration ecologist or biologist to prepare a comprehensive adaptive Weed Control Plan (WCP) to be administered during the excavation and reclamation phases of the Proposed Project. The WCP shall include, but not be limited to, instructions for surveys, weed control treatments, and methods of herbicide application. The WCP shall be submitted to the County for review and approval, in consultation with the California Department of Fish and Wildlife (CDFW), and shall be updated and utilized for weed eradication and monitoring for the life of the Proposed Project.

MM BIO-3.2 – Implement Best Management Practices to minimize impacts to plants and wildlife during all Project phases. Best Management Practices (BMPs) will be implemented as standard operating procedures during all excavation and reclamation activities to avoid or minimize Project impacts to plants and wildlife. These BMPs will apply, but are not limited, to the following: trash removal; the use of chemicals, fuels, lubricants, or biocides; reporting of inadvertent kills or injuries to a special-status animal; new light sources; and worker training on microtrash issues; measure to avoid the spread of sudden oak death and other pests; and consultation with the County Department of Planning and Building for any diversions of the Salinas River.

MM HYD-1 – Prepare and Implement Site-Specific SWPPP. The Applicant shall prepare a site-specific SWPPP in accordance with current regulations and industry practice at the time that final reclamation of the Lower Area is being planned. The SWPPP shall include the BMPs necessary to ensure that grading and resoiling activities do not adversely impact water quality in the Salinas River, potentially including, but not limited to erosion control BMPs and temporary sediment control BMPs. The SWPPP shall be submitted to the County Department of Planning and Building for review and approval prior to initiation of grading activities. Monitoring reports shall be submitted annually to the County Department of Planning and for review.

- b. Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.
- c. Supportive Evidence –** Please refer to pages 4.3-13 and 4.3-14 and of the Draft EIR.

C. Air Quality (Class II)

- 1. Impact AQ-1: Construction activities would generate dust and exhaust emissions of criteria pollutants and toxic air contaminants.** No change in operational emissions would occur as a result of the Proposed Project. However, for the most recent year of data (2011), the emissions from material processing at the quarry were reported to be 63.6 tons PM10. Because these emissions exceed the 25 tons per year threshold of significance and also would exceed the daily threshold for operational PM10, the impact of PM10 relative to conditions existing without the Proposed Project would be significant. Mitigation Measure AQ-1 is recommended for the control of fugitive dust and PM10 and to reduce the impact of PM10 emissions to less than significant (Class II).

- a. Mitigation –**

- MM AQ-1 – Implement a Dust Control Plan** (summary text above).

- b. Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.
- c. Supportive Evidence –** Please refer to pages 4.4-10 through 4.4-12 of the Draft EIR.

- 2. Impact AQ-2: Expose sensitive receptors to substantial pollutant concentrations.** Toxic air contaminants and dust would be emitted as a result of continued mining of crushed aggregate and granite. Air toxics from fuel combustion, primarily diesel particulate matter, would continue to be emitted the existing stationary sources, the fleet of heavy-duty diesel-powered equipment, and the haul trucks accessing the site, as they are in the existing conditions. Aggregate excavation, handling, and processing and the activity on unpaved surfaces are the primary sources of particulate matter dust. Sensitive receptors near the existing quarry and roads that access the quarry would continue to be exposed to the toxic air contaminants and dust emitted by these sources. To demonstrate compliance with the CARB Asbestos Airborne Toxic Control Measures (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (17 California Code of Regulations Section 93105), the County APCD requires that an exemption request be filed for the determination that naturally occurring asbestos is not

present at the site of activities. Mitigation Measure AQ-2 would reduce this impact to a less than significant level (Class II).

a. Mitigation –

MM AQ-2 – Implement Applicable Controls for Naturally Occurring Asbestos (NOA). Prior to the issuance of the Notice to Proceed or related permit to start any activity associated with the Project's proposed expansion, the Applicant shall submit evidence to the Department of Planning and Building, that either a NOA exemption has been granted by the County APCD, or the provisions of the CARB Airborne Toxic Control Measure related to NOA have been implemented.

b. Findings – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. Supportive Evidence – Please refer to page 4.4-13 of the Draft EIR.

D. Greenhouse Gas Emissions (Class II): No Class II impacts for Greenhouse Gas Emissions were identified.

E. Biological Resources (Class II)

1. Impact BR-1: Impact native vegetation, including sensitive communities

Excavation would occur over 59 years and would include the removal of 33.2 acres of intact vegetation. The functional loss of 33.2 acres of vegetation over the 59 year excavation phase is considered a permanent impact because of the substantial temporal loss of habitat. This would be a significant and adverse impact. To mitigate this impact, Mitigation Measure BIO-1.1 requires compensatory mitigation for native vegetation at a 1:1 ratio for non-sensitive communities, and 3:1 ratio for sensitive riparian and oak woodland communities. Mitigation would not be required for impacts to areas already disturbed by current quarry operations, operational water features, and nonnative annual grassland because most of the areas are mapped as vested rights associated with the Quarry's existing operations.

a. Mitigation –

MM BIO-1.1 – Compensate for permanent excavation-phase impacts to vegetation. To compensate for permanent impacts to vegetation in the Proposed RPA footprint, the Applicant will implement one or more of the following: (1) onsite preservation of vegetation (in Proposed RPA area but outside of the Proposed RPA footprint), (2) acquisition and preservation of offsite lands, or (3) payment to an appropriate in-lieu fee program in the region.

MM BIO-1.2 – Prepare and implement a Weed Control Plan during all Project phases. Prior to County issuance of a Notice to Proceed, the Applicant shall retain a County qualified restoration ecologist or biologist to prepare a comprehensive adaptive Weed Control Plan (WCP) to be administered during the excavation and reclamation phases of the Proposed Project. The WCP shall include, but not be limited to, instructions for surveys, weed control treatments, and methods of herbicide application. The WCP shall be submitted to the County for review and approval, in consultation with the CDFW, and shall be updated and utilized for weed eradication and monitoring for the life of the Proposed Project.

- b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of less than significant.
- c. **Supportive Evidence** – Please refer to pages 4.6-48 through 4.6-53 of the Draft EIR.

2. **Impact BR-2: Impact jurisdictional waters.** In accordance with the Clean Water Act (CWA), there would be no net loss of wetlands from implementation of the Proposed Project. Impacts to riparian or wetland habitat would be mitigated at a 3:1 ratio (Mitigation Measure BIO 1.1). Direct impacts to riparian or wetland habitat in the Salinas River would not be expected to occur. Implementation of these mitigation measures and compliance with Section 401 and 404 of the CWA, the State Porter-Cologne Act, and Fish and Game Codes will reduce impacts to jurisdictional waters to a level of less than significant (Class II).

Direct impacts to jurisdictional waters could occur during reclamation from heavy equipment use and re-contouring of the Proposed Project site. Indirect impacts such as spread of weeds or degradation of water quality in adjacent areas could also occur during reclamation. Implementation of Mitigation Measures BIO 1.1, BIO 1.2, BIO 2.1, and HYD 1.1 and compliance with Section 401 and 404 of the CWA, the State Porter-Cologne Act, and Fish and Game Code 1602 would reduce impacts to jurisdictional waters to a level of less than significant (Class II).

a. **Mitigation** –

MM BIO-1.1 – Compensate for permanent excavation-phase impacts to vegetation (summary text above).

MM BIO-1.2 – Prepare and implement a Weed Control Plan during all Project phases (summary text above).

MM BIO-2.1 – Implement Best Management Practices to Minimize Impacts to Jurisdictional Areas during all Project phases. The Applicant shall provide a copy of the CDFW Streambed Alteration Agreement and Clean Water Act Section 401 and 404 permits, or a written determination that such permit(s) are not necessary. The Applicant will implement all mitigation measures and conditions contained within the Streambed Alteration Agreement obtained from the CDFW for impacts to jurisdictional areas, as well as any requirements of the Regional Water Quality Control Board or the U.S. Army Corps of Engineers, upon determination of jurisdiction and permit issuance by all three agencies. In addition, this measure outlines BMPs for vehicle traffic, stockpiles, equipment maintenance, and cleanups near ephemeral drainages or the Salinas River, which will be implemented during all excavation and reclamation activities in or:

MM HYD-1 – Prepare and Implement Site-Specific SWPPP (summary text above).

- b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.
- c. **Supportive Evidence** – Please refer to pages 4.6-53 through 4.6-55 of the Draft EIR.

3. **Impact BR-3: Impact listed and other special-status species.** Potential impacts to special-status species during excavation would include impacts to special-status plants, fish, amphibians and reptiles, native birds, the ringtail cat, and the American badger.

Direct impacts to special-status may include removal critical habitat in the Proposed RPA footprint, and indirect impacts may occur from dust, weeds, sedimentation, and degradation of water quality to critical habitats located adjacent to the Proposed Project. Impacts to special-status species would be significant absent mitigation.

Impacts to special-status species during reclamation would generally be the same as described for excavation. Reclamation involves substantial earth moving, and disturbance from these activities would be similar to disturbance from excavation phase activities. As described under Impact BIO-1, indirect impacts from invasive weeds would be more substantial during reclamation activities compared with excavation. It will be especially important to control invasive weeds during the reclamation period to avoid indirect impacts to special-status species and to support success of the reclamation efforts. Implementation of the measures below would reduce impacts to special-status species to a level of less than significant (Class II).

a. Mitigation –

MM BIO-1.1 – Compensate for permanent excavation-phase impacts to vegetation Program (summary text above).

MM BIO-1.2 – Prepare and implement a Weed Control Plan during all Project phases (summary text above).

MM BIO-2.1 – Implement Best Management Practices to Minimize Impacts to Jurisdictional Areas during all Project phases (summary text above).

MM BIO-3.1 – Implement a Worker Environmental Education Program (Biological Resources) during all Project phases. Prior to any activities within the proposed expansion area, a Worker Environmental Education Program (WEEP) shall be implemented by a County qualified biologist(s). The WEEP shall be submitted to the San Luis Obispo County Department of Planning for review and approval, and implemented throughout the duration of excavation and reclamation activities. The WEEP shall be implemented once for current employees, and then incorporated into overall facility training for new employees such that all employees that will be involved in ground-disturbing activities will have received the WEEP training one time. The WEEP shall include, at a minimum, the following items: training materials, avoidance measures, protocols when road kill is encountered, maps of known special-status species, and literature and photos of special-status species. The Project Applicant shall provide to the County evidence that all on-site personnel have completed the WEEP prior to the start of ground disturbance in the expansion areas.

MM BIO-3.2 – Implement Best Management Practices to minimize impacts to plants and wildlife during all Project phases. BMPs will be implemented as standard operating procedures during all excavation and reclamation activities to avoid or minimize Project impacts to plants and wildlife. These BMPs will apply, but are not limited, to the following: trash removal; the use of chemicals, fuels, lubricants, or biocides; reporting of inadvertent kills or injuries to a special-status animal; new light sources; and worker training on microtrash issues; measure to avoid the spread of sudden oak death and other pests; and consultation with the County Department of Planning and Building for any diversions of the Salinas River.

MM BIO-3.3 – Implement biological monitoring during all Project phases. Prior to any Project excavation and reclamation activities, the Project Applicant shall retain a County qualified biologist(s) with demonstrated expertise with special-status plants

and wildlife that could occur on site to monitor, on a daily basis, all vegetation removal and initial ground disturbance in previously undisturbed areas.

MM BIO-3.4 – Conduct surveys for special-status plants and mitigate impacts during the excavation phase. Applicant shall implement the following measures to mitigate the Project's direct and indirect impacts to special-status plants: conduct surveys for special-status plants in all areas subject to ground-disturbing activity and the surrounding areas within 50 feet; if Project activities result in the loss of more than 10 percent of the onsite population of any California Rare Plant Rank (CRPR) 1, 2, or 3 plant species, compensatory mitigation will be required; and any CRPR 1, 2, or 3 plants within the Proposed RPA footprint shall be salvaged prior to vegetation removal.

MM BIO-3.5 – Complete focused surveys for special-status reptiles and amphibians and implement avoidance measures during all Project phases. The Applicant shall retain a qualified biologist approved by the County to conduct focused surveys immediately prior to vegetation removal and grading in previously undisturbed areas during all Project phases. If special-status reptiles or amphibians are found within the disturbance area, the biologist will relocate non-listed animals to a safe location outside the Project disturbance area in suitable habitat. Listed species such as the California red-legged frog will not be handled or harassed, and will be avoided. If the Project Applicant does not have take authorization for listed species, the area will be avoided until the animal has left on its own. The biologist will notify the U.S. Fish and Wildlife Service (USFWS), CDFW, and the County within 24 hours of the observation of listed species. A final report identifying the number of non-listed animals moved, any mortality identified during the relocation event, and the general health of the species shall be completed and submitted to the County on a monthly basis during all Project phases.

MM BIO-3.6 – Conduct protocol surveys for California red-legged frogs and implement avoidance measures during all Project phases. The Applicant shall retain a qualified biologist approved by the County to conduct surveys for California red-legged frogs in accordance with the most current USFWS protocol. Surveys will be conducted in all riparian areas in the RPA footprint, and 500 feet of surrounding vegetated uplands around each riparian area. Survey results are valid for two years; surveys must be repeated if more than two years passes between the initial survey and site disturbance. Surveys are required prior to initial ground disturbance in riparian and surrounding upland habitats at each new excavation area, and in all riparian areas and surrounding 500-foot buffer areas that would be affected by reclamation activities. If California red-legged frogs are identified during surveys, this measure outlines the guidelines required to avoid impacts.

MM BIO-3.7 – Nesting Bird Management Plan, nest surveys, and impact avoidance measures for migratory and nesting birds during all Project phases. The Applicant shall retain a County qualified biologist to prepare a draft Nesting Bird Management Plan describing measures to detect native birds that may nest on and adjacent to the Proposed RPA area and to avoid impacts to or take of those birds or their nests during all Project phases. The Nesting Bird Management Plan will describe avoidance measures, such as buffer distances from active nests. The Plan will identify specific measures (if any) to prevent or reduce bird nesting activity on Project facilities. The Plan will include specific monitoring measures to track any active bird nest within or adjacent to the excavation and reclamation activities, bird

nesting activity, Project-related disturbance, and fate of each nest. In addition, this measure provides specific guidelines for conducting nesting bird surveys.

MM BIO-3.8 – Bald and golden eagle surveys and impact avoidance during all Project phases. The Applicant shall implement the following measures to document eagle occurrence in the Proposed RPA area and surrounding mountains: provide annual nesting season surveys during all Project Phases using the guidance provided in this measure; provide a 0.5 mile disturbance-free buffer if an occupied nest is detected within one mile of the Proposed RPA area, no Project excavation or reclamation activities will occur within the buffer; and bald and golden eagle survey data and, if applicable, nest buffers implemented will be provided to San Luis Obispo County, CDFW, and USFWS in monthly monitoring reports and summarized in annual Project monitoring reports during all Project phases.

MM BIO-3.9 – Conduct maternity colony or hibernaculum surveys for sensitive bats and avoid impacts during all Project phases. The removal of potential bat roost habitat will take place from September 1 to October 31 when possible to avoid potential impacts to bat maternity or hibernation roosts. If the September 1 to October 31 work window is not feasible, pre-disturbance bat roost surveys will be conducted. If hibernacula (hibernation roosts) or maternity roosts are found, no work will occur within 100 feet (blasting 300 feet) during the hibernation period (November 1 to March 31) or breeding season (March 1 to July 31), as applicable. Should blasting within the expansion area be required during these periods, prior to any such activity the Applicant shall consult with the County to develop and implement a strategy for the protection of hibernacula and/or maternity roosts.

If non-breeding bat roosts are found in cliffs, rock piles, trees or other substrate scheduled to be removed, the individuals shall be safely evicted, under the direction of a qualified biologist, by opening the roosting area to allow airflow through the cavity or other means determined appropriate by the bat biologist (e.g., installation of one-way doors).

MM BIO-3.10 – Conduct focused surveys for ringtail cat and avoid active maternity dens during all Project phases. If vegetation clearing will occur during the breeding season for ringtail cat (March 1 through June 30), a qualified biologist will conduct focused surveys for potential dens within all previously undisturbed areas proposed for vegetation clearing and grading and the surrounding areas within 200 feet. Any active dens will be avoided, and a 200 foot disturbance-free buffer will be established. This buffer may be adjusted in coordination with the CDFW and the County, depending on the specific location and current activity occurring in the area. Once the young have left the den or the breeding attempt has failed, normal vegetation clearing and earth-moving activities can resume. All activities that involve the ringtail shall be documented and reported to the CDFW and the County within 30 days of the activity.

MM BIO-3.11 – Complete focused surveys for American badger and implement avoidance measures during all Project phases. No more than 30 days prior to the commencement of vegetation clearing or earth moving in previously undisturbed areas, the Project Applicant shall retain a County-qualified biologist to conduct surveys for American badger within native vegetation and annual grasslands in the proposed disturbance area. If present, occupied badger dens shall be flagged and ground-disturbing activities avoided within 50 feet of the occupied den. Maternity dens shall be avoided during pup-rearing season (15 February through 1 July) and a

minimum 200 foot disturbance-free buffer established. The extent of buffers shall be flagged in the field utilizing a method highly visible by crews. Buffers may be modified in coordination with the CDFW. A biological monitor shall monitor for adequate protection of all identified dens and to ensure that all flagging is kept in place during new vegetation removal and initial ground-disturbing activities during the excavation and reclamation phases. If avoidance of an occupied, non-maternity den is not feasible, badgers shall be passively relocated in coordination with the CDFW and the biological monitor.

- b. Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.
- c. Supportive Evidence –** Please refer to pages 4.6-55 through 4.6-72 of the Draft EIR.

- 4. Impact BR-4: Construction activities would result in disturbance to wildlife and may result in wildlife mortality.** Ground-disturbing and mining activity in the expansion area could interfere with terrestrial wildlife movement during excavation. Excavation activities would affect wildlife in adjacent habitats by interfering with movement patterns or causing animals to temporarily avoid areas adjacent to the work. In general, nocturnal (active at night) wildlife would be affected less by disturbance from noise, vibration, and human activity than diurnal (active during the day) species since Project activities would occur primarily during daylight hours. More mobile species like birds and larger mammals are expected to disperse into adjacent habitat areas during land clearing and grading.

Native vegetation in the Proposed RPA area is expected to support nesting birds and other species. However bats using rock outcrops or the large oak trees are the most likely nursery colony within the Proposed Project site. A bat nursery colony site is where pregnant female bats assemble (or one bat if it's of a solitary species) to give birth and raise their pups. On the project site bat nursery colonies would be adversely impacted by the Proposed Project if humans approach an active nursery colony, if entrances to nursery colony sites become blocked, if blasting or drilling causes substantial vibration of the earth/rock surrounding an active nursery colony, or if a structure or large tree is disturbed by Project activities.

Impacts to wildlife movement and bat maternity roosts would generally be the same during reclamation activities as described for excavation. Reclamation activities include earth moving, grading, and other activities that will cause noise and vibration disturbances. Impacts would be less in magnitude because reclamation activities would not include drilling, blasting or vegetation removal. Implementation of erosion and sediment control measures HYD-1.1 (see Section 4.15, Water Quality and Supply of the Draft EIR), BIO-2.1 and avoidance of water quality degradation would reduce impacts to steelhead movement in the Salinas River. Mitigation Measures BIO-3.9 would require surveys and avoidance of maternity bat roosts. Implementation of these measures would reduce impacts to wildlife nursery sites to a level of less than significant (Class II).

a. Mitigation –

MM BIO-2.1 – Implement Best Management Practices to minimize impacts to jurisdictional areas during all Project phases (summary text above).

MM BIO-3.9 – Conduct maternity colony or hibernaculum surveys for sensitive bats and avoid impacts during all Project phases (summary text above).

MM HYD-1 – Prepare and Implement Site-Specific SWPPP (summary text above).

b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. **Supportive Evidence** – Please refer to pages 4.6-72 through 4.6-74 of the Draft EIR.

5. **Impact BR-5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinances.** Applicable sections and Elements of the County's General Plan were reviewed for consistency with the Proposed Project. Generally, the General Plan supports the preservation, enhancement, and restoration of natural habitats. The General Plan also describes preservation and enhancement of oak woodlands, and requires mitigation for impacts to biological resources including oak woodlands. Mitigation Measure BIO-1.1 requires compensatory mitigation for impacts to oak woodlands at a 3:1 ratio (acres conserved to acres impacted). Mitigation Measures BIO-1.1 through BIO-3.11 would reduce impacts to biological resources and ensure the Proposed Project complies with local policies and ordinances. Implementation of these measures would reduce impacts to a less than significant level (Class II).

a. **Mitigation** –

MM BIO-1.1 – Compensate for permanent excavation-phase impacts to vegetation (summary text above).

MM BIO-1.2 – Prepare and implement a Weed Control Plan during all Project phases (summary text above).

MM BIO-2.1 – Implement Best Management Practices to minimize impacts to jurisdictional areas during all Project phases (summary text above).

MM BIO-3.1 – Implement a Worker Environmental Education Program (Biological Resources) during all Project phases (summary text above).

MM BIO-3.2 – Implement Best Management Practices to minimize impacts to plants and wildlife during all Project phases (summary text above).

MM BIO-3.3 – Implement biological monitoring during all Project phases (summary text above).

MM BIO-3.4 – Conduct surveys for special-status plants and mitigate impacts during the excavation phase (summary text above).

MM BIO-3.5 – Complete focused surveys for special-status reptiles and amphibians and implement avoidance measures during all Project phases (summary text above).

MM BIO-3.6 – Conduct protocol surveys for California red-legged frogs and implement avoidance measures during all Project phases (summary text above).

MM BIO-3.7 – Nesting Bird Management Plan, nest surveys, and impact avoidance measures for migratory and nesting birds during all Project phases (summary text above).

MM BIO-3.8 – Bald and golden eagle surveys and impact avoidance during all Project phases (summary text above).

- b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.
- c. **Supportive Evidence** – Please refer to page 4.6-74 of the Draft EIR.

F. Cultural and Paleontological Resources (Class II)

- 1. **Impact CR-1: Cause a significant adverse change in the significance of an historical resource as defined by Public Resources Code Section 15064.5.** The Applicant maintains a vested right to approximately 143 acres of the total existing quarry area. A 61.5-acre portion of this has been surveyed for historic resources. CA-SLO-1952 was identified as extending into this area. The activities associated with proposed final reclamation of the property, which includes grading, diskings, and ripping the ground surface, as well as distributing growth medium and vegetation, could impact this historic resource. The impact to CA-SLO-1952 would be less than significant with Mitigation Measure CR-1 incorporated (Class II).

- a. **Mitigation** –

MM CR-1 – Implement Avoidance Measures. In order to: (1) prevent damage to the historic resource located within the Lower Area of the Proposed RPA area that is located in one of the Buffer Areas; and, (2) avoid the inadvertent discovery of buried components of this or other historic resources, no earth-disturbing activities shall be undertaken within this Buffer Area and signage shall be erected along its boundaries by a qualified archaeologist to prevent incidental impacts.

- b. **Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.
- c. **Supportive Evidence** – Please refer to page 4.7-15 of the Draft EIR.

- 2. **Impact CR-2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5.** The Applicant maintains a vested right to approximately 143 acres of the total mining operation. A 61.5-acre portion of this has been surveyed for archaeological resources. While it is unknown if CA-SLO-600 and CA-SLO-1951 extend into the Lower Area of the Proposed RPA area, archaeological resources, including village sites and large refuse deposits, often contain extensive buried components. The activities associated with proposed final reclamation of the property, which includes grading, diskings, and ripping the ground surface, as well as distributing growth medium and vegetation, could impact these or other unknown, buried archaeological resources. The potential for buried cultural resources is very high in parts of the vested portion of the Proposed RPA area. The impact to these unknown archaeological sites would be less than significant with mitigation (Mitigation Measures CR-2.1, CR-2.2, and CR-2.3) incorporated (Class II).

- a. **Mitigation** –

MM CR-1 – Implement avoidance measures (summary text above).

MM CR-2.1 – Prepare and implement Unanticipated Discovery and Monitoring Plan. At least sixty days prior to ground disturbance activities related to reclamation of the Lower Area of the Proposed RPA, the Applicant shall submit to the County an Unanticipated Discovery and Monitoring Plan (Plan) for review and approval. The Plan shall be prepared by a County-qualified cultural resources specialist and shall

outline the process for notification, evaluation, and actions to be taken should unanticipated cultural resources be found during construction.

MM CR-2.2 – Implement a Worker Environmental Education Program (Cultural and Paleontological Resources). Two weeks prior to commencement of any reclamation activities in the Lower Area of the Proposed RPA area, the Applicant shall provide training to reclamation personnel. The training shall include onsite avoidance requirements and the procedures for reporting any sensitive resources that are cultural or paleontological in nature and may be discovered during reclamation-related ground disturbance.

- b. Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.
- c. Supportive Evidence –** Please refer to pages 4.7-15 through 4.7-17 of the Draft EIR.

- 3. Impact CR-3: Significantly destroy a unique paleontological resource or site or unique geologic feature.** The activities associated with reclamation of the property which includes grading, diking, and ripping the ground surface as well as distributing growth medium and vegetation, could impact significant paleontological resources based on the characterization of neighboring landforms provided in the Applicant's technical report for paleontology. The proximity of the Lower Miocene Vaqueros Formation, the middle Miocene Monterey Formation, the upper Miocene Santa Margarita Formation, and the Plio-Pleistocene aged Quaternary alluvium to the Lower Area of the Proposed RPA area suggests that there is a high probability for paleontological resources in the vicinity of these formations that could be disturbed due to reclamation activities if located in the Proposed RPA area. However, any impacts to paleontological resources or unique geologic features would be less than significant with Mitigation Measure CR-3 incorporated (Class II).

a. Mitigation –

MM CR-3 – Prepare and implement Paleontological Monitoring and Treatment Plan. At least sixty days prior to ground disturbance activities related to Phase V final reclamation in the Lower Area of the Proposed RPA area, the Applicant shall retain a qualified paleontologist to prepare a Paleontological Monitoring and Treatment Plan (Plan), and submit the Plan to the County for review and approval. The Plan shall be based on the Society for Vertebrate Paleontology (SVP) guidelines and meet all regulatory requirements.

- b. Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.
- c. Supportive Evidence –** Please refer to pages 4.7-17 and 4.17-18 of the Draft EIR.

- 4. Impact CR-4: Significantly disturb any human remains, including those interred outside of formal cemeteries.** The Applicant maintains a vested right to approximately 143 acres of the total mining operation. A 61.5-acre portion of this has been surveyed for cultural resources. No human remains were noted within the surveyed area, however, CA-SLO-600, a village site that abuts the Lower Area of the Proposed RPA area, has been recorded as containing subsurface human remains. The activities associated with reclamation of this area, which includes grading, diking, and ripping the ground surface,

as well as distributing growth medium and vegetation, could impact unknown, buried human remains. The potential for buried human remains is high in parts of the vested portion of the project because of the close proximity of a prehistoric village site with burials, and the geomorphological characterization of the area. The impact to these unknown human remains would be less than significant with Mitigation Measure CR-2.1 incorporated (Class II).

a. Mitigation –

CR-2.1 – Prepare and implement Unanticipated Discovery and Monitoring Plan (summary text above).

b. Findings – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. Supportive Evidence – Please refer to pages 4.7-18 of the Draft EIR.

G. Geology, Mineral Resources and Soils (Class II)

- 1. Impact GEO 2: Be located on a geologic unit or soil that is significantly unstable or that would become unstable as a result of the Project implementation, or potentially result in on- or off-site soil erosion, landslides, subsidence, liquefaction or collapse.** Phased mining over the life of the Project may expose previously unidentified fractures with adverse orientations that could affect slope stability. This is a potentially significant impact. Implementation of Mitigation Measure GEO-1 would reduce this potential impact to less than significant (Class II).

a. Mitigation –

MM GEO-1 – Annual Inspection of Hard Rock Slopes Stability. The Applicant shall ensure that a qualified engineering geologist or geotechnical engineer experienced in evaluating the stability of hard rock slopes shall inspect the quarry slopes annually. These inspections shall summarize the rock types observed, provide detailed rock mass descriptions and measured discontinuity orientations, observed seepage conditions, and compare the observed conditions relative to that described in the Geotechnical Investigation and Design Recommendations Report.

b. Findings – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. Supportive Evidence – Please refer to pages 4.8-7 through 4.8-9 of the Draft EIR.

H. Hazards and Hazardous Materials (Class II)

- 1. Impact HAZ 7 - Create a health hazard by exposing workers to the fungus that causes Valley Fever and by spreading the fungus to new areas.** The Proposed Project would involve excavation activities that would disturb the top foot of soil where the fungal spores that cause Valley Fever may be present. The disturbance of the soil could release the fungal spores into the air, which could expose workers to Valley Fever and spread the fungal spores to new areas when people and equipment leave the Project site. The implementation of Mitigation Measures HAZ-1a, -1b, and -1c, which are consistent with County Public Health Department recommendations, would reduce this potential impact to less than significant (Class II).

The reclamation activities involving the use of overburden would have the potential to expose workers to the fungal spores that cause Valley Fever and spread the fungal

spores to new areas when people and equipment leave the Proposed Project site. The implementation of Mitigation Measures HAZ-1a, -1b, and -1c, would reduce these potential impacts to less than significant (Class II).

a. Mitigation –

MM HAZ-1a – Dust control to prevent worker exposure to Valley Fever. To prevent worker inhalation of dust containing *Coccidioides* fungal spores, the Applicant shall fully implement Mitigation Measure AQ-1 (Implement a Dust Control Plan).

MM HAZ-1b – Control methods to prevent the spread of Valley Fever. The Applicant shall develop and implement control methods to prevent the spread of the fungal spores that cause Valley Fever.

MM HAZ-1c – Worker training. The Applicant shall modify worker training materials to include all applicable recommendations from the San Luis Obispo County Public Health Department regarding educating workers on the risks of Valley Fever and on the means of preventing the exposure to and spread of the fungal spores.

b. Findings – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. Supportive Evidence – Please refer to pages 4.9-8 through 4.9-10 of the Draft EIR.

I. Land Use (Class II)

1. Impact LU-2: Be inconsistent with existing community character or present safety issues. The current land use entitlements governing the existing quarry consist of Conditional Use Permits (CUPs) granted by the County, vested mining entitlements arising from the quarry's mining operations prior to 1976, and a 1981 Reclamation Plan approved pursuant to the State's Surface Mine and Reclamation Act. Quarry egress and ingress on El Camino Real were examined and it was found that operation of the Santa Margarita Quarry Expansion Project would negatively effect on safety at the El Camino Real/Estrada Avenue intersection or along El Camino Real from Estrada Avenue to Murphy Avenue even under peak quarry operation, which would result in an adverse impact. However, as discussed under Impact TR-2, Mitigation Measure TR-1 would ensure that the Project Applicant pay a fair share contribution to provide the necessary improvements to roadway and pedestrian safety. With implementation of this measure, impacts associated with roadway safety would be less than significant (Class II).

a. Mitigation –

MM TR-1 – Fair share contribution to 2030 traffic volumes within the community of Santa Margarita. The Applicant shall enter into an agreement with the County that specifies a fair share contribution percentage and timing of payment toward improvements necessary to identified intersections in the community of Santa Margarita. The fair share contribution shall be evaluated and the agreement updated as necessary by the County in consultation with Caltrans, prior to the issuance of a Notice to Proceed.

b. Findings – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. Supportive Evidence – Please refer to page 3-18 of the Final EIR.

J. Recreation (Class II)

1. **Impact REC-3: Reduce, disrupt or preclude access and visitation to local recreational areas or trails.** The Project's contribution to future pavement damage and wear along some segments of State Route 58 would require mitigation in the form of either a fair share contribution mitigation fee or monitoring program as detailed in Section 4.14.5 of the Draft EIR under Impact TR-3. Improvements resulting from the mitigation associated with impacts to State Route 58 would include review of required Project improvements and repairs in consultation with Caltrans. This review would involve an analysis to determine the appropriateness of providing road improvements to ensure all travelers, including bicyclists, can be accommodated on the State highway system. With implementation of Mitigation Measure TR-3, impacts related to reductions, disruptions or preclusions of access and visitation to local recreational areas or trails would be less than significant (Class II).

a. Mitigation –

MM TR-3 – Reduce Project contribution to deterioration of State Route 58 structural conditions.

Option 1: Prior to issuance of a Notice to Proceed, the Applicant shall prepare a pavement monitoring program for State Route 58 between Mile Marker (MM) 0.00 and MM 5.44 for review and approval by the County in consultation with Caltrans.

Option 2: Prior to issuance of a Notice to Proceed, the Applicant shall enter into an agreement in a form acceptable to the County of San Luis Obispo or Caltrans to pay for the Project's fair share of impacts to State Route 58 roadway (between MM 0.00 and MM 5.44).

- b. Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

- c. Supportive Evidence –** Please refer to pages 4.13-5 and 4.13-6 of the Draft EIR.

M. Transportation and Circulation (Class II)

1. **Impact TR-2: Increase hazards due to design or incompatible uses, or result in unsafe conditions on public roads.** As analyzed above under Impact TR-1, the Proposed Project would not generate any average or peak hour vehicle trips beyond that of current quarry operations (existing conditions). However, the Project would continue quarry traffic beyond the existing quarry permit that is considered to result in a cumulative contribution to intersection LOS degradation at the intersections of Estrada Avenue (State Route 58) and El Camino Real, and Estrada Avenue and H Street (location of the Santa Margarita Elementary School pedestrian crossing). The Project's contribution from continued traffic at these locations is considered a potentially significant impact that can be mitigated through implementation of Mitigation Measure TR-1.

Proposed reclamation activities would occur parallel to continued quarry operations for the lifetime of the Proposed Project, followed by final reclamation once the quarry has been closed. Per the activities described in Draft EIR Section 2.6 (Reclamation Plan Amendment), reclamation activities would not generate daily trips on study area roadways beyond that associated with quarry operational trips. Furthermore, these daily trips would be short-term, suspending upon cessation of reclamation activities. Therefore, no increase in potential vehicle hazards during reclamation would occur over

the analysis presented above for operational activities. Impacts would be less than significant with mitigation incorporated (Class II).

a. Mitigation –

MM TR-1 – Fair share contribution to 2030 traffic volumes within the community of Santa Margarita. The Applicant shall enter into an agreement with the County that specifies a fair share contribution percentage and timing of payment toward improvements necessary to identified intersections in the community of Santa Margarita. The fair share contribution shall be evaluated and the agreement updated as necessary by the County in consultation with Caltrans, prior to the issuance of a Notice to Proceed.

b. Findings – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. Supportive Evidence – Please refer to pages 4.14-13 and 4.14-14 of the Draft EIR.

- 2. Impact TR-3: Result in public roadway damage, necessitating the need for roadway improvements.** Under existing quarry operations, shoulder damage on southbound El Camino Real at the quarry access road has occurred from quarry egress of large southbound trucks. While it is acknowledged that shoulder damage on El Camino Real is part of baseline conditions, the Proposed Project would extend quarry operations for 59 years (through Phase IV). Therefore, operation of the quarry under the Proposed Project would have a direct and demonstrable continuing effect on shoulder damage impacts to El Camino Real. Mitigation Measure TR-2 is therefore recommended to reduce the Proposed Project's impact to less than significant (Class II).

The County Department of Public Works additionally requested that standard deceleration and acceleration tapers for a rural driveway be required at the quarry entrance driveway. While it is acknowledged that current quarry operations function without deceleration and acceleration tapers on El Camino Real, the Proposed Project would extend quarry operations for 59 years (through Phase IV). Therefore, operation of the quarry under the Proposed Project would have a direct and demonstrable continuing inconsistency with the current County standard for deceleration and acceleration tapers for a rural driveway. Mitigation Measure TR-2 is recommended to reduce the Proposed Project's impact associated with rural driveway design to less than significant (Class II).

The Project's contribution of continued heavy truck traffic along these segments of State Route 58 is considered a potentially significant impact that can be mitigated through implementation of Mitigation Measure TR-3 (Class II). The intent of this measure is to ensure on-going maintenance of State Route 58 along the haul route such that the highway does not experience major degradation beyond the existing condition of the highway without the Project.

a. Mitigation –

MM TR-2 – Coordinate and implement El Camino Real improvements at quarry access driveway. Prior to the start of operations under the Project's Notice to Proceed, the Applicant shall coordinate with the San Luis Obispo County Department of Public Works to establish the need for, and implementation of, the roadway improvements along El Camino Real.

MM TR-3 – Reduce Project contribution to deterioration of State Route 58 structural conditions.

Option 1: Prior to issuance of a Notice to Proceed, the Applicant shall prepare a pavement monitoring program for State Route 58 between Mile Marker (MM) 0.00 and MM 5.44 for review and approval by the County in consultation with Caltrans.

Option 2: Prior to issuance of a Notice to Proceed, the Applicant shall enter into an agreement in a form acceptable to the County of San Luis Obispo or Caltrans to pay for the Project's fair share of impacts to State Route 58 roadway (between MM 0.00 and MM 5.44).

- b. Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.
- c. Supportive Evidence –** Please refer to pages 4.14-15 through 4.14-17 of the Draft EIR.

- 3. Impact TR-5: Result in inadequate emergency access.** The Proposed Project would continue existing operations of the quarry. Therefore, the Proposed Project would not introduce any new or incompatible uses to the roadway study area's circulation system that could impede emergency access into the quarry. Furthermore, as discussed in Impact TR-3, Mitigation Measure TR-2 will improve quarry egress and ingress on El Camino Real. With the implementation of Mitigation Measure TR-2, less than significant impacts to emergency access on El Camino Real and into the quarry would occur during quarry operation (Class II).

Reclamation would generate short-term daily trips, suspending upon cessation of reclamation activities. Similar to quarry excavation operations, reclamation activities would not impede emergency access. Furthermore, quarry egress and ingress on El Camino Real would be improved by Mitigation Measure TR-2. With the implementation of Mitigation Measure TR-2, less than significant impacts to emergency access on El Camino Real and into the quarry would occur during reclamation (Class II).

a. Mitigation –

MM TR-2 – Coordinate and implement El Camino Real improvements at quarry access driveway (summary text above).

- b. Findings –** Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.
- c. Supportive Evidence –** Please refer to page 4.14-18 of the Draft EIR.

- 4. Impact TR-6: Conflict with an adopted policies, plans, or programs supporting alternative transportation.** Bike lanes are located along portions of State Route 58. As discussed above in Impact TR-3, the Project's average and peak quarry traffic account for a small percentage of State Route 58 ADT volumes. However, with respect to these ADT volumes, they are heavy truck trips. A review of Caltrans bicycle level of service

(BLOS) score for those segments of State Route 58 affected by the Project indicate an existing BLOS of "F". The primary contributing factors associated with Caltrans' calculated BLOS "F" for affected segments of State Route 58 is due to the existing and proposed future percentages of heavy vehicles trips. However, any degradation of the existing or future BLOS on State Route 58 from continued traffic volumes of the Proposed Project on State Route 58 could be mitigated to a level of less than significant (Class II) with implementation of Mitigation Measure TR-3, which may, at Caltrans discretion and in consultation with the County, be used to determine the appropriateness of providing shoulders, restriping and/or other improvements to ensure that all travelers, including bicyclists, can be accommodated on the State highway system.

a. Mitigation –

MM TR-3 – Reduce Project contribution to deterioration of State Route 58 structural conditions (summary text above).

b. Findings – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.

c. Supportive Evidence – Please refer to pages 4.14-17 and 4.14-18 of the Draft EIR.

N. Water Quality and Supply (Class II)

- 1. Impact HYD-1: Result in degradation of surface and/or groundwater quality.** Quarry activities associated with the Proposed Project would require the disturbance of vegetation and soils and significant alteration of the already disturbed lands. This has the potential to increase erosion and allow sediments to be (1) entrained in stormwater runoff and (2) transported away from the mining area. Drainage and runoff from the expanded quarry operation would be directed to the excavation pit and therefore prevented from flowing directly into the Salinas River. This is an appropriate BMP for the protection of receiving water quality, and therefore potential impacts to receiving water quality related to the Proposed Project's excavation phase would be less than significant. However, the Proposed Project could result in chemical releases (e.g., fuels, hydraulic fluids, lubricants) to waters within the impoundment. However, the potential impact to groundwater quality and discharges to the Salinas River is less than significant because the Applicant would be required to comply with existing State and local hazardous materials handling requirements and programs, including maintaining and regularly updating the existing quarry's HMBP. In addition, the Applicant would be required to clean up any spills that occurred in accordance with existing regulations.

As described in the Proposed RPA, active reclamation activities, stormwater management, and soil erosion control within the Proposed RPA area would be managed in accordance with a site-specific SWPPP. However, this SWPPP has not yet been prepared. It is noted that the Proposed RPA includes general measures and approaches to minimize erosion, including: vegetation maintenance on areas disturbed from quarry activities; construction of naturally lined ditches; planting and hydroseeding at the appropriate time of the year to insure revegetation of disturbed areas; and monitoring of reclaimed areas for evidence of erosion. However, these proposed general measures do not provide adequate detail to ensure that water quality impacts related to final reclamation phase grading of the Lower Area would be less than significant. As such, implementation of Mitigation Measure HYD-1 is recommended to reduce this potential impact to less than significant.

a. Mitigation –

MM HYD-1 – Prepare and Implement Site-Specific SWPPP (summary text above).

- b. Findings** – Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment to a level of insignificance.
- c. Supportive Evidence** – Please refer to pages 4.15-12 through 4.15-14 of the Draft EIR.

VI. FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT AND UNAVOIDABLE (Class I)

The unavoidable significant impacts of the project are found to be acceptable due to overriding considerations (See Section VII). The findings below are for Class I impacts, where implementation of the project may result in the following significant, unavoidable environmental impacts:

A. Aesthetics and Visual Resources (Class I) : No Class I impacts for Aesthetics and Visual Resources

B. Agricultural Resources (Class I): No Class I impacts for Agricultural Resources

C. Air Quality (Class I): No Class I impacts for Air Quality

D. Greenhouse Gas Emissions (Class I): No Class I impacts for Greenhouse Gas Emissions

E. Biological Resources (Class I): No Class I impacts for Biological Resources

F. Cultural and Paleontological Resources (Class I): No Class I impacts for Cultural and Paleontological Resources

G. Geology, Soils, and Mineral Resources (Class I): No Class I impacts for Geology, Soils, and Mineral Resources

H. Hazards and Hazardous Materials (Class I): No Class I impacts for Hazards and Hazardous Materials

I. Land Use (Class I): No Class I impacts for Land Use

J. Noise and Vibration (Class I)

- 1. Impact NS-1: Generate noise levels in excess of County standards or result in a substantial temporary or permanent increase in ambient noise levels.**

The County of San Luis Obispo's Noise Element Policy 3.3.5(b) states that noise levels in vacant lands shall be reduced to meet the noise level standards presented in Table 4.11-5 of Section 4.11, unless the County determines that the vacant land is not likely to be developed with a noise sensitive land use and waives the policy. The results of the modeling described in Section 4.11.4 (Assessment Methodology) of the Draft EIR indicate that noise levels generated by quarry operations have the potential to exceed the 50 dB Leq noise level standard in Table 4.11-5 at vacant lands near the Proposed RPA area.

Furthermore, it is likely that some of the vacant land near the Proposed RPA area will be developed in the future as a result of the Major Domo Lot Line Adjustment Project (refer to Table 5.2-1 and Figure 5.2-1 of the Draft EIR), which would create two developable lots. Consequently, the noise impacts of the Proposed Project on surrounding vacant lands would conflict with Noise Element Policy 3.3.5 (b). This potential impact would be significant and unavoidable.

The maximum allowable exposure of sensitive receptors to transportation noise sources is 65 dB Ldn/CNEL, provided that available exterior noise level reduction measures have been implemented and interior noise levels are at or below 45 dB Ldn/CNEL (Table 4.11 6). The measurement of existing conditions indicates that traffic noise levels 100 feet from the centerline of roadways currently exceed the 65 dB Ldn/CNEL threshold for residential receptors in 3 of 12 segments monitored. It is not possible to mitigate these impacts by rerouting traffic from these roadways because travel along these routes is required to reach U.S. Highway 101. It is also not feasible to construct noise barriers because many sensitive receptors are located adjacent to the roadways. The implementation of Mitigation Measure NS-1 would ensure that noise level increases are minimized; however, this measure may not reduce the noise levels to the 65 dB Ldn/CNEL threshold and therefore the potential traffic noise impact along segments of State Route 58 and El Camino Real as a result of the implementation of the Proposed Project would be significant and unavoidable (Class I).

a. Mitigation –

MM NS-1 – Truck noise reduction equipment and notification. The Applicant shall ensure that all truck drivers leaving the quarry are informed about the noise sensitive residential uses along El Camino Real and State Route 58 and shall be routinely reminded to maintain mufflers and other noise reducing equipment on their vehicles. The use of compression brakes in residential areas shall be prohibited except under emergency conditions. A notification containing this information shall be posted at a visible location at the quarry, and shall also be provided to truck drivers as part of the documentation they receive.

b. Findings – Changes or alterations have been required in, or can be incorporated in to the project which avoid or substantially lessen the significant environmental effects as identified in the Draft EIR; however, these effects have not been lessened to a level of insignificance. These impacts are acceptable by reason of the overriding considerations discussed in Section VII.

c. Supportive Evidence – Please refer to pages 4.11-12 through 4.11-14 of the Draft EIR.

K. Public Services and Utilities (Class I): No Class I impacts for Public Services and Utilities

L. Recreation (Class I): No Class I impacts for Recreation

M. Transportation and Circulation (Class I): No Class I impacts for Transportation and Circulation

N. Water Quality and Supply (Class I): No Class I impacts for Water Quality and Supply

VII. STATEMENT OF OVERRIDING CONSIDERATIONS
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Findings pursuant to CEQA Guidelines sections 15093 and 15092.

A. The Propsoed Project 's significant, unmitigable, unavoidable adverse effects are as follows:

1. Quarry operations and traffic noise would would exceed the County standards or result in a substantial temporary or permanent increase in ambient noise levels.

B. Findings – The Planning Commission has weighed the benefits of the Proposed Project against its unavoidable environmental noise impacts. Based on the consideration of the record as a whole, the Planning Commission finds that there is substantial evidence in the record to conclude that the benefits of the project outweigh its unavoidable adverse environmental impacts. In support of this Finding, the Planning Commission has determined that the following benefits, each of which is sufficient to support this Finding, support approval of the Proposed Project.

C. Supporting Evidence

1. Social, Economic and Environmental Benefits. The Proposed Project would result in the following social, environmental and economic benefits:

Legal and Environmental Benefits:

- a. Reduce the impacts of an existing mining operation to visual resources, air quality and other sensitive natural resources through site design, efficient mine planning and investment in improved quarry infrastructure.
- b. Reclaim an existing mining operation to seasonal water storage, open-space and grazing uses in a manner that is consistent with Surface Mining and Reclamation Act's (SMARA's) requirements and standards.
- c. Promote the land use policies of the County, as described more fully in the findings attached as Exhibits B and C to the staff report.

Economic and Social Benefits:

- a. Maintain a local, reliable and economic source of high-quality construction aggregates to serve market demands in San Luis Obispo County and the Central Coast region and in a manner that is least intrusive or destructive to, and most compatible with, the surrounding neighborhood and environment .
 - b. Ensure that a sufficient short-term supply of local construction aggregates exists to serve public and private construction projects within the region as they arise.
 - c. Ensure a long-term regional supply of construction aggregates by adding 21,500,000 tons of aggregate reserves and continuing an existing aggregate source until approximately 2070 while preserving the unique and rural quality of the town of Santa Margarita and its surrounding area.
 - d. Continue to provide high paying jobs for quarry employees through the extension of the quarry.
 - e. Allow for potential capital investment in infrastructure to increase efficiency and reduce operational impacts.
2. Mitigation Enhancement. The EIR contains mitigation measures that will substantially lessen the significant effects of the project. The following are some of the more substantial environmental offsets of the mitigation measures:
 - a. Ensure the restoration of all disturbed areas at the project site to pre-disturbance conditions or better at the end of the useful lifetime of the project.
 - b. Provide roadway and safety enhancements within the community of Santa Margarita.

VIII. REJECTION OF ALTERNATIVES

Alternatives. The Planning Commission considered two on-site alternatives and the required No Project Alternative. Of these, the Final EIR identified Alternative 2 as the environmentally superior alternative.

Pursuant to CEQA, the Planning Commission considered the following alternatives to the Proposed Project as described in the Final EIR, which would reduce or avoid project-specific and cumulative impacts, and rejects them as infeasible as follows:

- **Alternative 1 Reduced Acreage.** The Reduced Acreage Alternative modifies the Proposed Project by reducing the total acreage to be disturbed, thus reducing impacts to biological resources, including disturbances to oak woodlands, and providing additional buffer areas to portions of the Salinas River along the northern boundary of the Proposed Project site. This alternative would reduce the amount of aggregate available for sale and would shorten the operational life of the Proposed Project.

The Reduced Acreage Alternative would retain Phase I and Phase II of the Proposed Project expansion but would eliminate Phases III and IV, see Figure 5 of Exhibit E. Eliminating Phases III and IV of the proposed expansion would subtract out the use of approximately 23 acres of the proposed excavation area and reduce the estimated life of the Proposed Project by about 27 years, thereby beginning the reclamation process approximately 27 years early. Eliminating Phases III and IV of the quarry would reduce the production of the Proposed Project by over 14,200,000 tons which represents more than one-third of the Proposed Project's aggregate production. This alternative would not require altering the processing equipment or infrastructure installed during Phase II but would eliminate the need to relocate the primary crusher and conveyor as potentially required for Phases III and IV.

This alternative would result in the greatest number of environmental benefits of all of the alternatives evaluated due to the shortened duration of the quarry's operational lifetime (27 years in comparison to 59 years for the Proposed Project and the Enhanced Reclamation Alternative [Alternative 2]). Although this alternative would not lessen or eliminate any of the impacts associated with the Proposed Project, the reduced operational life of the quarry would cause the impacts associated with air quality, biological resources, GHG emissions, noise and vibration, and transportation and circulation to cease 32 years earlier than either the Proposed Project or the Enhanced Reclamation Alternative (Alternative 2), which would, in total time elapsed, represent an approximate 54 percent decrease in the duration of all impacts.

However, this alternative does not meet the Proposed Project's objectives, particularly objective #1, which seeks to (1) Maintain a local, reliable and economic source of high-quality construction aggregates to serve market demands in San Luis Obispo County and the Central Coast region; and (1)(b) ensure a long-term regional supply of construction aggregates by adding 21,500,000 tons of aggregate reserves and continuing an existing aggregate source until approximately 2070. By limiting the potential life span of the Proposed Project, Alternative 1 would potentially result in the need for the development of a new quarry that could create much greater environmental

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impacts than the Proposed Project. A shortened life-span on the Proposed Project would also require public and private contractors to seek other sources for aggregate, contributing a potential long-term shortfall of resources for the region. Therefore, Alternative 1 is rejected as infeasible.

- **Alternative 2 Enhanced Reclamation.** The Enhanced Reclamation Alternative would retain the Proposed Project's expansion plan and operations. It would incorporate expansion of the quarry into Phases I through IV, including the estimated total amount of aggregate production. However, the Enhanced Reclamation Alternative would revise the design of the Proposed RPA to:

Enhance the biological function of the site after the operational phase of the Proposed Project is complete; and

Reduce the visual impacts of the quarry by treating the exposed rock surfaces visible from State Route 58.

The goals of the Enhanced Reclamation Alternative would be to:

Encourage wildlife to use the bottom of the excavation pit as wetland habitat and provide wildlife pathways to this area. Because the bottom of the excavation pit will be seasonally inundated, there is an opportunity to create seasonal wetland habitat and to allow for its use by reducing the slope sides or providing other wildlife pathways.

Render the mine's exposed rock surfaces visible from State Route 58 to match the colors with the existing surrounding color palate. By selecting appropriate colors and applying them to the rock, the vertical surfaces can be rendered substantially less dominant in the landscape.

The Enhanced Reclamation Alternative would be preferential in comparison to either the Proposed Project or the Reduced Acreage Alternative (Alternative 1) for aesthetics and visual resources and biological resources because it would lessen some long-term (e.g., post-mining) impacts. However, as with Alternative 1, the Enhanced Reclamation Alternative would not reduce or fully eliminate any of the adverse impacts associated with the Proposed Project because none of the quarry's operational parameters would change.

Based on the Applicant's comments on the Draft EIR, this alternative involves a significant redesign of the quarry pit to provide for wildlife habitat. As commented by the Applicant, this alternative proposes a wetlands system which may not be technologically feasible. A sustained wetlands system does not appear to be possible because the pit does not receive groundwater and rainfall may not be sufficient. It is also unclear whether application of a top-soil growth medium to the bench face would be successful or bring any actual aesthetic benefits.

In addition, the proposed quarry redesign under this alternative involves a reduction of the northeast and east sides of the excavation pit to improve wildlife access. The result of this redesign would either increase potential impacts by requiring an expansion of the pit footprint in order to maintain the same volume of available reserves, or reduce the pit floor size which would reduce the volume of the material that could be mined. This would increase impacts associated with the pit footprint or would reduce the lifespan of the quarry, which was rejected in Alternative 1.

CEQA states that the consideration of alternatives shall be limited to alternatives that avoid or eliminate impacts; however, the Draft EIR acknowledges that this alternative would not fully eliminate any of the adverse impacts associated with the Proposed Project.

Finally, the Enhanced Reclamation Alternative would not meet the Proposed Project's objective of adding 21.5 million tons of aggregate reserves to the region, which could cause potential conflicts with the County's adopted COSE, as well as the State's recognition of the important role of producing aggregate mineral resources in support of existing and projected construction needs and future economic growth within the region. Further, by not meeting the Proposed Project's planned aggregate materials production, this alternative could cause the need to either construct and operate a new quarry, or otherwise expand another existing quarry. Therefore, for all of these reasons, Alternative 2 is rejected as infeasible.

- **No Project Alternative.** Section 15126.6(e) of the State CEQA Guidelines requires an EIR to consider a No Project Alternative. The analysis of the No Project Alternative must discuss the existing conditions at the time the Notice of Preparation was published (June 20, 2013), as well as "what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services" (State CEQA Guidelines Section 15126.6(e)(2)). The requirements also specify that "If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this 'no project' consequence should be discussed" (State CEQA Guidelines Section 15126.6 (e)(3)(B)).

Under the No Project Alternative, the Santa Margarita Quarry would continue to operate under its existing conditions. The quarry's existing entitlements and approved reclamation plan are described in Draft EIR Section 2.4.2 (Existing Entitlements and Approved Reclamation Plan) and would not change under the No Project Alternative. The 1981 Reclamation Plan would remain in place. Under the facility's existing entitlements the quarry may produce up to 700,000 tons of crushed aggregate and granite per year and load a maximum of 294 trucks (e.g., round-trip truck trips) per day. It is estimated that approximately 11.7 million tons of entitled mining reserves remain under the quarry's existing CUP. The 1981 Reclamation Plan estimated the life of operation of the quarry at 40 years. However, in 2005, the County granted an administrative amendment to the 1981 Reclamation Plan which allowed for steeper final slopes within the quarry, which added reserves while retaining the existing reclamation goals for the site. Phase I of the Proposed Project overlaps with the boundaries of the 1981 Reclamation Plan area. The Applicant has estimated the work period of Phase I would be approximately 19 years. Figure 1 of Exhibit E is from Draft EIR's Project Description, which provides the boundaries of the existing quarry and its related 1981 Reclamation Plan; and Figure 2 of Exhibit E provides a map of the existing facilities and features associated with the quarry. These facilities would remain in their current state under the No Project Alternative.

The No Project Alternative is rejected as infeasible because the objectives of the Proposed Project would remain unfulfilled under this alternative. This means that the contribution of the Proposed Project toward the important role of aggregate materials in supporting construction and economic growth within the County

would be limited to the quarry's existing aggregate entitlements, and there would be no continuation of the production of high grade aggregate materials in the future.

VIII. CEQA GENERAL FINDINGS

- A.** The Planning Commission finds that changes or alterations have been incorporated into the Project to eliminate or substantially lessen all significant impacts where feasible. These changes or alterations include mitigation measures and project modifications outlined herein and set forth in more detail in the Santa Margarita Quarry Expansion Project Draft and Final EIR. For those remaining significant effects on the environment found to be unavoidable, they are considered acceptable due to the overriding considerations described in Section VII.
- B.** The Planning Commission finds that there are no other changes or alterations to incorporate into the Project that would eliminate or substantially lessen significant impacts and fall under the responsibility and jurisdiction of another public agency
- C.** The Planning Commission finds that the Project, as approved, includes an appropriate Mitigation Monitoring Program. This Mitigation Monitoring Program ensures that measures that avoid or lessen the significant project impacts, as required by CEQA and the State CEQA Guidelines, will be implemented as described.
- D.** The Final EIR is adequate to support approval of the Proposed Project, as approved by the Planning Commission, including any minor modifications or additions and any additional mitigation measures and other conditions adopted or imposed by the Commission in the Conditions of Approval. Such minor modifications or additions, additional mitigation measures and other conditions imposed by the Planning Commission will enhance the social, economic, and environmental benefits of the Revised Project and will not create any new significant environmental impacts or create a substantial increase in the severity of any environmental impacts. The Final EIR is adequate for each entitlement or approval, and any future discretionary approvals required for construction and operation of the Project so long as such entitlements or approvals were adequately analyzed in the Final EIR.
- E.** Per CEQA Guidelines Section 15126.4(a)(1)(B), the Proposed Project includes performance-based conditions relating to environmental impacts and includes requirements to prepare more detailed plans that will further define the mitigation based on the more detailed plans to be submitted as a part of the construction phase. For instance, each of the following conditions and mitigation measures contain performance-based standards and therefore avoid the potential for these conditions or measures to be considered deferred mitigation under CEQA:
 - 1. AQ-1 - Implement a Dust Control Plan
 - 2. AQ-2 - Implement Applicable Controls for Naturally Occurring Asbestos (NOA)
 - 3. BIO-1.1 - Compensate for permanent excavation-phase impacts to vegetation
 - 4. BIO-1.2 - Prepare and implement a Weed Control Plan during all Project phases
 - 5. BIO-2.1 - Implement Best Management Practices to Minimize Impacts to Jurisdictional Areas during all Project phases

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6. BIO-3.1 - Implement a Worker Environmental Education Program (Biological Resources) during all project phases
7. BIO-3.2 - Implement Best Management Practices to minimize impacts to plants and wildlife during all Project phases
8. BIO-3.3 - Implement biological monitoring during all Project phases
9. BIO-3.4 - Conduct surveys for special-status plants and mitigate impacts during the excavation phase
10. BIO-3.5 - Complete focused surveys for special-status reptiles and amphibians and implement avoidance measures during all Project phases
11. BIO-3.6 - Conduct protocol surveys for California red-legged frogs and implement avoidance measures during all Project phases
12. BIO-3.7 - Nesting Bird Management Plan, nest surveys, and impact avoidance measures for migratory and nesting birds during all Project phases
13. BIO-3.8 - Bald and golden eagle surveys and impact avoidance during all Project phases
14. BIO-3.9 - Conduct maternity colony or hibernaculum surveys for sensitive bats and avoid impacts during all Project phases
15. BIO-3.10 - Conduct focused surveys for ringtail cat and avoid active maternity dens during all Project phases
16. BIO- 3.11 - Complete focused surveys for American badger and implement avoidance measures during all Project phases
17. CR-1 - Implement avoidance measures
18. CR-2.1 - Prepare and implement Unanticipated Discovery and Monitoring Plan
19. CR-2.2 - Implement a Worker Environmental Education Program (Cultural and Paleontological Resources)
20. CR-3 - Prepare and implement Paleontological Monitoring and Treatment Plan
21. GEO-1 - Annual Inspection of Hard Rock Slopes Stability
22. HAZ-1a - Dust control to prevent worker exposure to Valley Fever
23. HAZ-1b - Control methods to prevent the spread of Valley Fever
24. HAZ-1c - Worker training
25. HYD-1 - Prepare and Implement Site-Specific SWPPP
26. NS-1 - Truck noise reduction equipment and notification
27. TR-1 - Fair share contribution to 2030 traffic volumes within the community of Santa Margarita

28. TR-2 - Coordinate and implement El Camino Real improvements at quarry access driveway
29. TR-3 - Reduce Project contribution to deterioration of State Route 58 structural conditions

- F. The Planning Commission recognizes that the Final EIR incorporates information obtained and produced after the Draft Environmental Impact Report (Draft EIR) was completed, and that the Final EIR contains additions, clarifications, and modifications. The Planning Commission has reviewed and considered the Final EIR and all of this information. The Final EIR does not add significant new information to the Draft EIR that would require recirculation of the Final EIR under CEQA. The new information added to the Final EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure considerably different from others previously analyzed that the Applicant declines to adopt and that would clearly lessen the significant environmental impacts of the Revised Project. The Draft EIR was not inadequate or conclusory in nature such that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR.
- G. Based on the above finding, the Planning Commission finds that the changes and modifications made to the Final EIR after the Draft EIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or CEQA Guidelines section 15088.5.

IX. MITIGATION MONITORING PROGRAM
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- A. The Applicant, Hanson Aggregates Mid-Pacific, will be primarily responsible for ensuring that all project mitigation measures are complied with. They will be assisted in this effort by the County Department of Planning and Building, Planning and Environmental Divisions. Mitigation measures will be programmed to occur at, or prior to, the following milestones for each phase of the project. For example, if a mitigation measure states that it is required to be completed prior to issuance of a construction permit, final inspection, or occupancy, it is only required prior to issuance of the construction permit, final inspection, or occupancy for the applicable phase of the Project.
- *Prior to issuance of a Notice to Proceed for each phase of quarry operation.* These are measures where the County needs to review and approve the Plans before they are implemented.
 - *Prior to issuance of construction permits.* These are measures where the County needs to review and approve the Plans before they are implemented.
 - *Prior to initiation of grading activities or any new activities within the proposed expansion area.* These are measures that need to be undertaken before earth moving activities begin. These measures include items such as staking the limits of environmentally sensitive areas or vegetation to remain, confirming biological mitigation plans with resource agencies, and including pertinent design details in the project plans.

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- *Implement throughout the duration of excavation and reclamation activities for of all project phases.* These are active measures that will continue through the life of the excavation and reclamation activities.
- *Daily during all vegetation removal and initial ground disturbance in previously undisturbed areas during all project phases.* These measures are those that need to occur daily in previously undisturbed areas. Once initial ground disturbance and vegetation removal is complete, daily monitoring may cease at that location.

Connecting each of the mitigation measures to these milestones and consistent with Project phasing will integrate mitigation monitoring into existing County processes, as encouraged by CEQA. In each instance, implementation of the mitigation measure will be accomplished in parallel with another activity associated with the project.

- B.** As lead agency for the Santa Margarita Quarry Expansion Project Final EIR, the Planning Commission hereby certifies that the approved Mitigation Monitoring Program is adequate to ensure the implementation of the mitigation measures described herein.